

NOT FOR PUBLICATION

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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| HERBERT J. LIEBER, et al., Plaintiffs, v. DAVID O. MARCUS, et al., Defendants. | Civil Action No. 12-6549 (JLL) ORDER |
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LINARES, District Judge.

This matter comes before the Court by way of Defendants' motion to dismiss Plaintiffs' Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure [Docket Entry No. 36]. On December 12, 2012, this Court entered an Order converting said motion into one for summary judgment pursuant to Rule 56 and providing the parties with additional time in which to submit documents for the Court's consideration. For the reasons set forth in the Court's corresponding Opinion dated December 27, 2012,

IT IS on this 27th day of December, 2012,

ORDERED that Defendants' motion for summary judgment [Docket Entry No. 36] is **granted**. Plaintiffs' Complaint is dismissed *with* prejudice; and it is further

ORDERED that this case is hereby **CLOSED**.

s/ Jose L. Linares
Jose L. Linares
United States District Judge